

# **EXHIBIT GG**



**U.S. Department of Justice**

**Andrew E. Lelling**  
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*District of Massachusetts*

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March 13, 2020

**SENT VIA E-MAIL AND FEDERAL EXPRESS**

Counsel of Record

Re: *United States v. David Sidoo, et al.*  
Case No. 19-cr-10080-NMG<sup>1</sup>

Dear Counsel:

Enclosed please find the following discovery materials, produced pursuant to the agreed-upon protective order:

1. A DVD containing a SecureZIP file titled VB-DISCOVERY016.zip. The password to access the zip file is [REDACTED]. Instructions regarding how to extract the contents of the zip file are contained on the DVD and are also set forth in our prior production letters. Also enclosed with this letter is an index listing the records contained in the zip file, which are Bates-stamped VB-RECORDS-00501313 – VB-RECORDS-00706147. These records are primarily e-mails obtained recently from Defendant Mikaela Sanford.
2. One thumb drive containing the following records:<sup>2</sup>
  - Pen register data for Singer's phones with phone numbers ending in 0584, 8802, and 5816. Additional information regarding these phones is set forth below;
  - Proffer agreements with Singer and others;

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<sup>1</sup> The government will provide the defendants in *United States v. Ernst, et al.*, No. 19-cr-10081- IT, with the same discovery as that being provided here.

<sup>2</sup> Some of the records contained on this thumb drive have not yet been Bates-stamped. The government will soon Bates-stamp these documents, create indexes, and send replacement discovery.

- Title III and consensual recordings not previously produced, including a recorded call between Singer and government agents;
  - Text messages from Mikaela Sanford's phone;
  - Consent to search forms signed by Singer;
  - Reports regarding agents' contacts with Singer during the investigation;
  - The contents of Singer's Google Drive accounts;
  - Handwritten notes created by Singer during the investigation, including written "scripts" that Singer used during calls with defendants and others;<sup>3</sup>
  - Records related to expense reimbursement requests made by Singer during the investigation;
  - Text message screenshots sent from Singer to agents during the investigation;
  - A video and related documentation concerning Morrie Tobin and Rudy Meredith;
  - FBI and IRS interview reports and associated agent notes;<sup>4</sup>
  - Ping data for Singer's phone with phone number ending in 8802;
  - QuickBooks files for The Key Worldwide Foundation and The Key. Please note that these files are being produced in native format and require QuickBooks 2019;<sup>5</sup> and,
  - An image of Singer's flip phone with phone number ending in 5816.
3. A second thumb drive containing a native image of Singer's laptop, which was seized on or about November 23, 2018. The government is currently copying this laptop, and

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<sup>3</sup> Investigators are working with Singer to determine whether he has any other handwritten notes.

<sup>4</sup> Any missing agent notes will be supplemented in later productions as the notes are obtained from the agents.

<sup>5</sup> The government was only recently able to access the QuickBooks files provided with this discovery.

will produce the image as soon as the copying is complete.<sup>6</sup> Please note that we intend to produce a processed, Bates-stamped version of the laptop data at a later date.

In addition, as referenced in our March 3, 2020 discovery letter, below please find information regarding phones used by Singer during the investigation:

**iPhone 7+**

**Serial** [REDACTED]  
**IMEI** [REDACTED]  
**Phone Number** [REDACTED] 8802

This telephone was intercepted pursuant to a court-ordered wiretap between June 5, 2018 and September 29, 2018. Between September 27, 2018 and March 11, 2019, calls made to and from this telephone were consensually recorded. Additionally, there was a pen register on this phone for the period April 18, 2018 to October 7, 2018. Local extractions of this telephone were made on or about the following dates: October 5, 2018, October 29, 2018, November 1, 2018, November 29, 2018, November 30, 2018, January 16, 2019, February 15, 2019, February 28, 2019 and March 11, 2019. All of these extraction reports have already been produced.

This telephone remained in Singer's possession until May 2019. In May 2019, Singer exchanged the telephone for a new iPhone XR, Serial [REDACTED] IMEI [REDACTED]. When the phone was replaced, data from the original phone was transferred to the new phone.

The new 8802 phone remained in Singer's possession until Friday, March 6, 2020. At this time, Singer sent the phone, via FedEx, to agents at the FBI's office in Chelsea, MA. Agents took possession of the phone on Monday, March 9, 2020. On or about March 9, 2020, the FBI requested the phone be extracted using "GreyKey," in an attempt to recover deleted text messages. In the event the text messages are recovered, the government will review and produce them as appropriate.

**Motorola ZTE Z233V Cymbal**  
**Phone Number** [REDACTED] 5816

Agents provided Singer with this flip phone on September 21, 2018. The purpose of the phone was for Singer to use it to call agents and his counsel. This phone was not recorded. Singer ceased using this phone in October 2018 and returned it to agents on or about October 23, 2018. Agents conducted an extraction of this phone on March 4, 2020, and this extraction report is being provided herewith.

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<sup>6</sup> Certain potentially privileged documents have been excluded from the image subject to a privilege review.

**LG-M150**

**Android ID** [REDACTED]

**IMEI** [REDACTED]

**Phone Number** [REDACTED] 5704

At the inception of Singer's cooperation, Singer's attorney instructed Singer to purchase this telephone for communications with his attorney and Singer's family. Singer purchased this phone on or about September 24, 2018, and used it until on or about October 18, 2018. Singer never used this phone to communicate with agents. This phone was not recorded.

Agents in California seized this telephone from Singer between October 31, 2018 and November 1, 2018, and it has been in the government's possession since that time. Agents conducted a logical extraction of this telephone on or about November 7, 2018, and the government has previously produced the extraction.

**iPhone 8+**

**Serial #** [REDACTED]

**IMEI** [REDACTED]

**Phone Number** [REDACTED] 0584

After Singer turned in the 5816 and 5704 phones, he purchased this telephone in October 2018 for communications with agents and with his counsel. This phone was not recorded. There was a pen register on this phone for the period October 12, 2018 through April 11, 2019, and that pen register data is being provided herewith. This phone is currently in Singer's possession and he uses this as his personal phone.

**Landline**

**Phone number** [REDACTED] 8802

There was a pen register for this phone for the period May 4, 2018 through July 3, 2018. The pen register data is being provided herewith.

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The government recognizes its ongoing discovery obligations and will continue to produce additional discovery as required. If you have any questions regarding the materials enclosed, or those that are forthcoming, please contact us at your earliest convenience. **Finally, if you intend to attach agent reports to filings, please redact all personal identifiers on the reports.**

Sincerely,  
ANDREW E. LELLING  
United States Attorney

By: /s/ Eric S. Rosen  
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